IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

Bail Appl..No. 5442 of 2007(M)

CMP.3985/2007 of J.M.F.C.,KASARAGOD
Cr.No.50/2007 of KASARAGOD EXCISE RANGE

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: PETITIONER/ACCUSED

M.ISHWARA NAIK, S/O.PAKKEERA NAIK,
MUNDOD, BELA VILLAGE.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5442 of 2007

Dated this the 10th day of September, 2007

ORDER

Application for regular bail. The petitioner was allegedly found to be in possession of 10 litres of arrack on 14.08.07. He was arrested and continues in custody from that date. The petitioner has another case under the Abkari Act also registered against the same and that is pending at the stage of committal.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator may be given some further time to complete the investigation and I am satisfied that the petitioner can be directed to be released on bail subject to appropriate terms and conditions.

In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 18.09.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-